

**MORGENTHAU  
BOROWSKI**

**ABORTION**

THE CHARTER, AND THE COURTS

**F.L. MORTON**



# Morgentaler Vs Borowski

**Emmett Macfarlane**



## **Morgentaler Vs Borowski:**

**Policy Change, Courts, and the Canadian Constitution** Emmett Macfarlane, 2018-11-23 Policy Change Courts and the Canadian Constitution aims to further our understanding of judicial policy impact and the role of the courts in shaping policy change Bringing together a group of political scientists and legal scholars this volume delves into a diverse set of policy areas including health care issues the regulation of elections criminal justice policy minority language education citizenship refugee policy human rights legislation and Indigenous policy While much of the public law and judicial politics literatures focus on the impact of the constitution and the judicial role scholarship on courts that makes policy change its central lens of analysis is surprisingly rare Multidisciplinary in its approach to examining policy issues this book focuses on specific cases or policy issues through a wide ranging set of approaches including the use of interview data policy analysis historical and interpretive analysis and jurisprudential analysis

**Feminist Activism in the Supreme Court** Christopher P. Manfredi, 2004 Since 1980 the Canadian women s movement has been an active participant in consitutional politics and Charter litigation This book through its focus on the Women s Legal Education and Action Fund LEAF presents a compelling examination of how Canadian feminists became key actors in developing the constitutional doctrine of equality and how they mobilized that doctrine to support the movement s policy agenda The case of LEAF an organization that has as its goal the use of Charter litigation to influence legal rules and public policy provides rich ground for Christopher Manfredi s keen analysis of legal mobilization In a multitude of areas such as abortion pornography sexual assault family law and gay and lesbian rights LEAF has intervened before the Supreme Court to bring its understanding of equality to bear on legal policy development This study offers a deft examination of LEAF s arguments and seeks to understand how they affected the Court s consideration of the issues Perhaps most important it also contemplates the long term effects of the mobilization and considers the social impact of the legal doctrine that has emerged from LEAF cases A major contribution to law and society studies Feminist Activism in the Supreme Court is unparalleled in its analysis of legal mobilization as an effective strategy for social movements It will be widely read and welcomed by legal scholars political scientists lawyers feminists and activists

The Abortion Debate in the United States and Canada Maureen Muldoon, 2021-03-19 First published in 1991 Over the last twenty five years or so the debate on abortion has not moved any closer to resolution in either the United States or Canada The courts the legislatures the pulpits the classrooms the hospitals and clinics and the media have provided the forums for this on going struggle Two groups of activists have dominated the debate The opponents of abortion who are referred to as anti abortion or pro life advocate restrictive policies on abortion while the pro choice groups direct their attempts to creating a permissive policy that allows a woman to make her own decision The anti abortion advocates and the pro choice advocates alike have learned the skills and developed the strategies to advance their own positions Whatever legal and public policy gains are made by one side are often countered by moves from their opponents There is available a vast

amount of material related to the topic of abortion From the extensive and diverse literature this book draws a collection of relevant materials primarily representing aspects of the sociological philosophical religious and legal aspects of the abortion issue Its purpose is to serve as a source bode for those interested in seeing how the abortion debate has been conducted within the recent past The book also serves as a reference work for further study

**Becoming Biosubjects** Neil Gerlach, Sheryl N. Hamilton, Rebecca Sullivan, Priscilla L. Walton, 2011-01-01 Becoming Biosubjects examines the ways in which the Canadian government media courts and everyday Canadians are making sense of the challenges being posed by biotechnologies The authors argue that the human body is now being understood as something that is fluid and without fixed meaning This has significant implications both for how we understand ourselves and how we see our relationships with other forms of life Focusing on four major issues the authors examine the ways in which genetic technologies are shaping criminal justice practices how policies on reproductive technologies have shifted in response to biotechnologies the debates surrounding the patenting of higher life forms and the Canadian and global response to bioterrorism Regulatory strategies in government and the courts are continually evolving and are affected by changing public perceptions of scientific knowledge The legal and cultural shifts outlined in Becoming Biosubjects call into question what it means to be a Canadian a citizen and a human being

Morgentaler V. Borowski Frederick Lee Morton, 1992

**Acting for Freedom** Marian Botsford Fraser, 2014-10-13 The Canadian Civil Liberties Association celebrates its fiftieth anniversary with this overview of its activities sometimes quiet and sometimes strident as a watchdog and safeguard for Canadians and their rights as citizens Through a series of discussions and interviews a picture of Canada over the last half century evolves

**The Abortion Controversy in Canada and the United States** Raymond Tatalovich, 1996

The Sixties Revolution & the Fall of Social Credit Virginia Byfield, Paul Bunner, 2002

**Friends of the Court** Ian Brodie, 2002-03-28 Studies interest group litigation in Canada

The Reporter on Human Reproduction and the Law, 1971

The Construction of Judicial Power in a Federal System Cristina Marie Ruggiero, 2008

The Supreme Court on Trial Kent Roach, 2001 This book addresses timely questions What is judicial activism Can judges simply read their own political preferences into the Charter Does the Court have the last word over democratically elected legislatures Are our judges captives of special interests What can Canadians and their governments do if they think the Court has got it wrong

The Supreme Court Law Review, 1990

*Introductory Readings in Government and Politics* M. O. Dickerson, Thomas Flanagan, Neil Nevitte, 1995

**Understanding Judicial Reasoning** Roland Case, 1997 This acidic observation is the cynical answer to what remains one of the great mysteries of the law how do judges arrive at their decisions The impression of many is that the courts do whatever they wish to do with cases that come before them Some criticize judicial imperialism government by the judiciary and even judicial dictatorship Judges have certainly been given additional powers by our new Charter of Rights and Freedoms but is the legal system out of control This book explains the forms of reasoning judges use when deciding how the law applies in particular cases Section 1 introduces

the general issues surrounding the judicial mandate to apply law Section 2 describes in some detail the three modes of reasoning authorized and constituted by these rules Section 3 features extended opinions in five controversial cases Section 4 contains a bibliography and other reference aids Study questions are included for use as a course text *The Canadian Political Tradition* Ron S. Blair, Jack MacLeod, 1993 **The Supreme Court and Canadian Federalism** Katherine Swinton, 1990 *The Big Evasion* Anne Collins, 1985 The history of the abortion issue in Canada has largely been a history of avoidance tactics But in 1983 two men refused to wait any longer for others to remedy a situation they both regarded as scandalous Dr Henry Morgentaler abandoned his safe haven in Quebec to open clinics to help women in Toronto and Winnipeg and in a Regina courtroom anti abortionist Joe Borowski demanded that abortion be banned and that the law recognize a fetus as a person under the Canadian Charter of Rights Anne Collins recounts the drama of clinic openings actual abortions public raids and court battles the historical international legal and political background to the issue and the 15 years of futile lobbying by both sides to change the law She illuminates the attitudes tactics and evasions of both sides and the role of the Church shows how the movements are financed provides vivid portraits of the leading players and explores the implications of startling new biological discoveries about the fetus itself Finally she tackles the question of the morality of abortion to end with a clear sighted argument as to how we might resolve the conflict back cover A Time to Choose Life I. J. Gentles, 1990 **The Real Worlds of Canadian Politics** Robert Malcolm Campbell, Leslie Alexander Pal, 1991

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